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UNITED STATES DEPARTMENT OF JUSTICE

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Attorneys for the United States Trustee for Region 17
TRACY HOPE DAVIS

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re
CASH CLOUD, INC. dba COIN CLOUD,
Debtor.

Case No: 23-10423-mkn
Chapter 11
Date: April 17, 2024
Time: 9:30 a.m.

**UNITED STATES TRUSTEE'S NOTICE OF VOLUNTARY REDUCTION IN
LEGAL FEES WITH RESPECT TO FIRST INTERIM APPLICATION FOR
COMPENSATION FILED BY OFFICIAL COMMITTEE OF UNSECURED
CREDITOR'S GENERAL BANKRUPTCY COUNSEL, SEWARD & KISSEL LLP**

Tracy Hope Davis, United States Trustee for Region 17 (United States Trustee”), by and through her undersigned counsel, hereby files this *Notice of Voluntary Reduction in Legal Fees with Respect to the First Interim Application for Compensation* filed by the Official Committee of Unsecured Creditor’s general bankruptcy counsel, Seward & Kissel LLP (the “Applicant” and “Application”) in the above-captioned case.

In support, the United States Trustee respectfully represents as follows:

1. The fee applicant bears the burden of proof to show entitlement to the requested fees under 11 U.S.C. § 330. See *In re Eliapo*, 298 B.R. 392, 402 (B.A.P. 9th Cir. 2003), *rev'd in part on other grounds*, 468 F.3d 592 (9th Cir. 2006); *In re Ginji Corp.*, 117 B.R. 983, 990

1 (Bankr. D. Nev. 1990) (“[t]he applicant ... has the burden of proof to show the reasonableness of
2 the fees sought”).

3 2. Interim fee awards are always subject to reexamination during a bankruptcy case.
4 *See In re Strand*, 375 F.3d 854, 858 (9th Cir. 2004).

5 3. The United States Trustee has reached an agreement with the Applicant to resolve
6 the United States Trustee’s informal opposition to the Application prior to the above-captioned
7 hearing.

8 4. The Official Committee of Unsecured Creditor’s general bankruptcy counsel,
9 Seward & Kissel LLP (“Seward & Kissel”), has consented to a voluntary reduction of \$23,244.75
10 in legal fees to address various legal service descriptions that, in the United States Trustee’s
11 view, contain miscounted hours and duplicate billing entries, are vague, and reflect block billing.
12 After accounting for Seward & Kissel’s voluntary reduction, the Application now requests a total
13 of \$2,098,460.25 in legal fees and \$26,367.55 in expenses. *See* ECF No. 1643. Considering this
14 voluntary reduction, the United States Trustee does not object to approval of Seward & Kissel’s
15 first interim fee Application.

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20 Dated: April 3, 2024

21 TRACY HOPE DAVIS
22 UNITED STATES TRUSTEE

23 _____
24 /s/ *Jared A. Day*
25 Jared A. Day
26 Trial Attorney for the United States Trustee
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